

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	CRIMINAL NO. 08-498 (FLW)
	:	
	:	CONSENT ORDER EXCLUDING
v.	:	TIME UNDER THE SPEEDY
	:	TRIAL ACT
	:	
JOSEPH BERRY	:	

This matter having come before the Court on the joint application of Christopher J. Christie, United States Attorney for the District of New Jersey (James Kitchen, Assistant United States Attorney) and defendant Joseph Berry (Brian P. Reilly, appearing), for an order granting a continuance of the proceedings in the above-captioned matter for 60 days from August 22, 2008 through October 22, 2008, to allow the parties to conduct plea negotiations, attempt to finalize a plea agreement and permit defense counsel an opportunity to obtain records;

and the defendant being aware that he has the right to have this matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court and that a continuance shall serve to delay a trial in this matter, and the defendant having consented to the continuance as signed below and waived such right, for good cause shown;

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1) Discussions are underway and both the United States and the defendant desire additional time to negotiate a resolution of this case, which would render the filing of pretrial

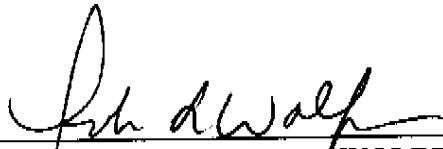
motions and trial of this matter unnecessary;

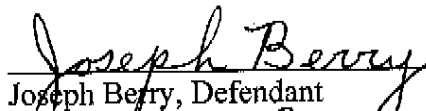
2) Additional time is necessary for defense counsel to obtain medical records pursuant to 18 U.S.C. §3161(h)(1)(A);

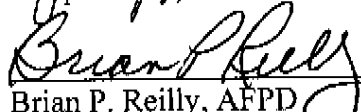
3) Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the interest of the public and defendant in a speedy trial;

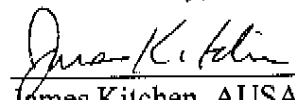
WHEREFORE IT IS ORDERED this 13<sup>th</sup> day of August, 2008, that the action be continued from August 22, 2008 to October 22, 2008.

IT IS FURTHER ORDERED that the period from August 22, 2008 through October 22, 2008 shall be excludable in computing time under the Speedy Trial Act of 1974 (as amended October 12, 1984) pursuant to 18 U.S.C. §3161.

  
HONORABLE FREDA L. WOLFSON  
United States District Judge

  
Joseph Berry, Defendant

  
Brian P. Reilly, AFPD

  
James Kitchen, AUSA